

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PARK IRMAT DRUG CORP.

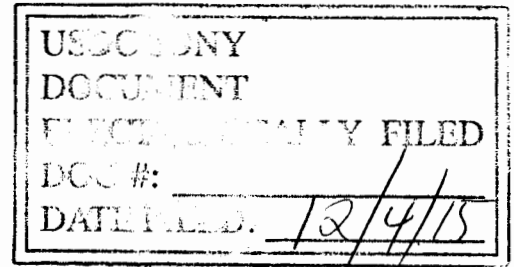
Plaintiff,

- vs. -

OPTUMRX, INC.

Defendant.
-----X

Index No. 15-CV-08930 (JSR)



 **[PROPOSED] ORDER**


WHEREAS, on or about November 23, 2015, Defendant OptumRx, Inc. ("OptumRx") sent letters to OptumRx members stating that as of November 30, 2015, Plaintiff Park Irmat Drug Corp. ("Irmat," or "Irmat Pharmacy") "will no longer be participating in the OptumRx pharmacy network" and, "[a]s a result, you will not be able to use your pharmacy plan benefits at" Irmat Pharmacy ("Letters"). *See, e.g.*, ECF No. 27-1;

WHEREAS, a hearing on Irmat's motion for a temporary restraining order and preliminary injunction is scheduled for December 8, 2015;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Counsel for OptumRx shall immediately disclose to counsel for Irmat the number of Letters that were sent;
2. Until the conclusion of the December 8, 2015 hearing, OptumRx, including its subsidiaries and affiliates, will refrain from making any further communications, or causing any further communications to be made, to members or health plan clients stating that Irmat Pharmacy has been terminated from, or will no longer be participating in, any pharmacy network administered by OptumRx and/or its subsidiaries and affiliates.

Dated: December 3, 2015



Hon. Jed S. Rakoff
United States District Court Judge